

STATE OF WASHINGTON



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of

Thomas L. Ross,

Licensee.

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No. D 03 - 32

ORDER REVOKING LICENSE

To: Thomas L. Ross
2604 Firland St. SW
Tumwater, WA 98512

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your license is REVOKED, effective March 5, 2003, pursuant to RCW 48.17.530 and 48.17.540(2).

THIS ORDER IS BASED ON THE FOLLOWING:

1. Violations of RCW 48.17.475, Licensee to reply promptly to inquiry by commissioner. The Commissioner sent you written inquiries on January 9 and January 24, 2003 asking for your written response. You failed to respond to either of these letters. These inquiries related to the business of insurance and each failure to respond promptly in writing violated RCW 48.17.475.

2. Violations of RCW 48.17.480 Reporting and accounting for premiums, RCW 48.17.600, Separation of premium funds RCW 48.30.190, Illegal dealing in premiums, WAC 284-12-080, Requirements for separate accounts, and RCW 48.18.240 Binders.

- a. Lyle and Vanessa Nygren, d.b.a. NYCO Construction, issued a check April 25, 2002 in the amount of \$1,500.32 made payable Ross Insurance Agency. The money was intended to purchase insurance through Farmers Insurance (Truck Insurance Exchange) for the business general liability insurance. It was later discovered that no policy was ever applied for. The licensee made up a Certificate of Insurance in the name of the business, NYCO Construction, and issued the bogus certificate to the Department of Labor and Industries (L&I). When Farmers Insurance discovered the error, it refunded the money to Mr. & Mrs. Nygren. As of the date of this order the licensee has made no attempt to account for the missing money.
- b. Arnie Young paid the licensee \$210 cash on April 22, 2002. The money was to be used to pay on Mr. Young's insurance account. The money was not accounted for. When Farmers Insurance discovered the error, it paid the money on behalf of Mr. Young. As of the date of this order the licensee has made no attempt to account for the missing money.

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- c. Tara and Chris Thompson paid the licensee \$200 cash on July 17, 2002. The money was to be used to pay on Mr. and Mrs. Thompson's insurance account. The money was not accounted for. When Farmers Insurance discovered the error, it paid the money on behalf of Mr. and Mrs. Thompson. As of the date of this order the licensee has made no attempt to account for the missing money.

By reason of your conduct, you have shown yourself to be and are so deemed by the commissioner, untrustworthy and a source of injury and loss to the public and not qualified to be an insurance agent in the State of Washington. Accordingly, your license is revoked pursuant to RCW 48.17.530 (1) (b), (d), (e), and (h).

IT IS FURTHER ORDERED that you return your insurance agent's license certificate to the Commissioner on or before the effective date of the revocation of your license, as required by RCW 48.17.530(4).

NOTICE CONCERNING YOUR RIGHT TO A HEARING. Please note that a detailed summary of your right to contest this Order is attached. Briefly, if you are aggrieved by this Order, RCW 48.04.010 permits you to demand a hearing. Pursuant to that statute and others: You must demand a hearing, in writing, within 90 days after the date of this Order, which is the day it was mailed to you, or you will waive your right to a hearing. Your demand for a hearing must specify briefly the reasons why you think this Order should be changed. If your demand for a hearing is received by the Commissioner before the effective date of the revocation, then the revocation will be stayed (postponed) pending the hearing, pursuant to RCW 48.04.020. Upon receipt of your demand for hearing, you will be contacted by an assistant of the Chief Hearing Officer to schedule a teleconference with you and the Insurance Commissioner's Office to discuss the hearing and the procedures to be followed.

Please send any demand for hearing to Insurance Commissioner, attention Scott Jarvis, Deputy Insurance Commissioner, Office of the Insurance Commissioner, P.O. Box 40257, Olympia, WA 98504-0257.

ENTERED AT LACEY, WASHINGTON, this 13th day of February, 2003.

MIKE KREIDLER
Insurance Commissioner

By

SCOTT JARVIS
Deputy Commissioner

Investigator: Marianne Wise